

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
DIVISION

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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Tracy Debose Lampkin

Plaintiff

v.

United Parcel Service

C/O The Corporation

Defendant(s)

1:06cv0538 WKW

COMPLAINT

1. Plaintiff resides at 165 Trapper Ridge Cottonwood, Al 36320

2. Defendant(s)' name(s) United Parcel Service C/O The Corporation

Location of principal office(s) of the named defendant(s) \_\_\_\_\_

2000 Interstate Park Dr. Ste 204 Montgomery, Al 36109

Nature of defendant(s)' business Delivering Packages

Approximate number of individuals employed by defendant(s) Dothan 91

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 2000e-5(g).

4. The acts complained of in this suit concern:

1. ☐ Failure to employ me.
2. ☐ Termination of my employment.
3. ☐ Failure to promote me.
4. ☒ Other acts as specified below: Discriminated on lateral

moves overlooked on other jobs with the company. I was asked  
after the job was already given to someone.

1  
SCANNED BR 6.19.06

## 5. Plaintiff is:

- A. ☒ Presently employed by the defendant.  
☐ Not presently employed by the defendant. The dates of employment were \_\_\_\_\_ . Employment was terminated because:

- (1) ☐ Plaintiff was discharged.  
(2) ☐ Plaintiff was laid off.  
(3) ☐ Plaintiff left job voluntarily.

## 6. Defendant(s)' conduct is discriminatory with respect to the following:

- A. ☒ My race.  
B. ☐ My religion.  
C. ☒ My sex.  
D. ☐ My national origin.  
E. ☐ Other, as specified below: \_\_\_\_\_

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are) Black female The positions were OMS and pre-load supervisor

8. The alleged discrimination occurred on or about From 2003 to 2005

9. The nature of my complaint, i.e., the manner in which the individual(s) named above discriminated against me in terms of the conditions of my employment, is as follows: \_\_\_\_\_

I have verbally asked for positions at UPS my center manager always made up excuses or told me I only know one sort and this was his center he put people where he wanted to. I have been with UPS longer than any of my co-workers they didn't know some of the positions like my sort because I had to trained them. I have received lower pay raises and I was making better numbers. I was always told it would be a demotion for me or a \$600.00 dollar paycut if I wanted to go to another position

10. The alleged illegal activity took place at United Parcel Service  
4116 Montgomery Hwy  
Dothan, AL 36303

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s)' alleged discriminatory conduct on or about 11-2005. I have attached a copy of the Notice-of-Right-to-Sue letter issued by the Equal Employment Opportunity Commission. This letter was received by me on 4-10-06.

12. I seek the following relief:

A.      Recovery of back pay.

B.   X   Reinstatement to my former job,

and any other relief as may be appropriate, including injunctive orders, damages, costs, and attorney's fees.

Date: June 13, 2006

Macy DeRose Lampkin  
Signature of Plaintiff

165 Snapper Ridge  
Cottonwood, AL 36320  
334-791-7793  
Address & Telephone Number of Plaintiff

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June 13,2006

To whom it may concern:

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ROBERT HACKETT, CLERK  
UNITED STATES DISTRICT COURT  
NORTH DAKOTA

I Tracy Debose Lampkin started working for United Parcel Service on January 27,1997.I started out bagging smalls in the smalls area, I later became a skillful worker. My supervisor at that time was Larry Skeen and my center manager was Larry Eubanks. In 1999 I later trained on other jobs

Such as Air Clerk, Diad Clerk, and ECS. I worked with several supervisors and always gave them an outstanding performance on my job and attendance. I was later promoted to Local Sort Supervisor by center manager Bert Flood in December 2001. In the early part of 2002 we received another center manager Robert Icenogle. I have made allegations of discrimination by my center manager Robert Icenogle . In 2002 ,A WHITE MALE Jason Jones A OMS LATER BECAME A PRE-LOAD SUPERVISOR. HE WAS TOLD THESE 2 POSITION WAS THE SAME AND HE DIDN'T RECEIVE A PAY INCREASE. Max Reinhardt came to the local sort he was A part-time from the pre-load around the mid 2002. I had to train Max he was a quick learner. He was a good supervisor we worked good together. May 2003, I went on vacation while I was on vacation there was over 6,000 packages mistoggles. This is when your scanner is set-up wrong but in the right trailer. I was not there. I had to write myself up and go to meet with the big boss over the south division Chris Martin a female. Mr. Carr and David Brandon was with her. I asked Robert why I had to write my-self up. I was not there when this happen. He told me I had to. Max Reinhardt resign in July of 2003.He had a better job offer. Robert called me upstairs in his office and told me he knew I wanted the OMS position that was

coming available in July 2003. There was a hold on moving supervisors. He later gave this position to Tammy Nelson a white female. Tammy had worked for me on the Local Sort as my Diad Clerk. I called Robert Boss at the time it was Karl Jones he was in the Pensacola Center and I asked him was there a hold on moving supervisors. He told me no and to go and ask Robert why he didn't give me the position. He said he didn't remember telling me. In February 2004 Ryan Brown came to the Local Sort from the pre-load. I asked Robert if I could go to the pre-load and take his spot. He was a white male coming to the local sort who I had to once again train on the local sort. Robert told me I only knew the Local Sort and this is where I was going to stay. I trained Ryan and he had knowledge to ever thing that was going on out there. I am schedule off on August 27, 2004. He did not put up a scanner at the end of the sort. I came back on Monday ,and I had to write myself up again I was not there. I asked again why I had to write myself up. Ryan had been there over 6 months and he have had the proper training. In February 2005 another OMS position came available. Robert called me upstairs in front of Henry Hall and told me he was aware I wanted the position. I said yes he told me I have not been making my numbers and this is his center he put whom ever where he wanted to and it would be a \$600.00 dollar pay-cut for me. I know he was discouraging me from this position because he has always said to us all these position are the same. If not why didn't he give Jason Jones a pay increase. He filled this position with a tempt from Kelly Agency. Every supervisor have to take a management placement test I have listen to a supervisor brag about Robert didn't require him or her to take the test they just took the test in September 2005 when I made it known. No other supervisor have applied or wrote a letter to move from one shift to the other. I am the only one they require to write a letter.

There is not a job I didn't know at UPS because my goal was to learn every thing to get to the next level. I kept up with my numbers and elements. I was the only one in this center that had good numbers the pre-load or Drivers numbers was not better than mine but he still moved all these people over me and I have been here longer than any of them. The last position came available in November 2005 I was told it was a demotion same job OMS. Jennifer Wesley was giving this position she worked under me as my international clerk. UPS states she was already filling this position. Tammy Nelson had to train her on this position. I have also had problems with my raises which UPS states I received a higher raise in 2004 and my paper work states differently. There have been a lot of discrimination going on at this center and it is very sad . This is a big corporation and everybody wants to work for them. In high school I called the 1-800 number and asked if I could get my name on the list to work for UPS and it took 9 years and I was there. I applied at the unemployment office and they called me. I took pride in my job and never had any problem until the last two and a half years. It got to the point, I didn't want to go in. He always had something negative to say and we the local sort was caring the Dothan Center. When I get off work at night I turned to drinking because I was so stressed out finally I start calling my pastor and he prayed for me daily. I let him know what I was dealing with at UPS. I was being mistreated. I always gave one hundred ten percent on my job. I loved my job it was so pleasant before all the changes. I knew as long as Robert was here I was never going any where but watch everybody pass me by. Why didn't I call human resource I call Karl Jones Robert boss. Robert have pulled me to the side and told me in so many words .If I go and complain about anything he was good friends with one of the bosses. I have listen to this man brag on how he has fired people and disrespect

another black supervisor in front of our employees. I have told Tommy Davidson how I was treated. He was down in the Dothan Center September 2005 he was in Human Resource. He told me he was not interested in what has happen to me . He wanted to know about issues that has happened in the last month. I know I am a accomplished worker and just wanted the opportunity that some of my co-workers had to expand my experience in this company . I am very disappointed in United Parcel Service. I took pride in this job. I want to be made whole ,relief back ,pay damage, back mental. I have been stressed out over the last 2 and ½ years. Restless nights I go to bed thinking about how I always made it happen and this is what I get. On my vacations I get phone calls everyday to help solve any situations over the last 2 and ½ years. I have also change my vacations days for the company because they needed me. I saw nothing but UPS and now I feel different about the company I put my heart in.

Sincerely yours,

*Macy D Lumpkin*

My Commission Expires: 12-23-06

*Sum A Keely*